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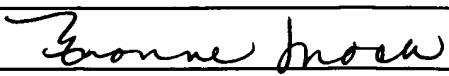
PTO/SB/21 (09-04)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing) Total Number of Pages in This Submission: 39	Application Number	09/721,341
	Filing Date	November 21, 2000
	First Named Inventor	Gosling, Jennifa
	Art Unit	1647
	Examiner Name	Bunner, Bridget E.
	Attorney Docket Number	019934-000711US

**Certificate of Correction**  
MAR 14 2006  
MAR 17 2006

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Request for Certificate of Correction Under 37 CFR 1.322 (2 pp.) w/attached Certificate of Correction (1 p.). <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Copy of Corrected Filing Receipt (2 pp.); Copy of Decision Granting Petition Under 37 CFR 1.48 (3 pp.); Copy of papers filed by Applicants to correct inventorship (29 pp.); and, Return Postcard.
<b>Remarks</b> The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Neil G. Miyamoto		
Date	March 10, 2006	Reg. No.	50,370

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Yvonne Mock	Date	March 10, 2006

MAR 20 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT

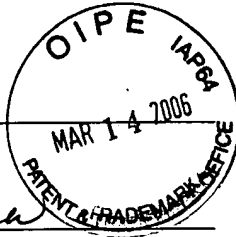
Attorney Docket No.: 019934-000711US

Commissioner for Patents,  
P.O. Box 1450  
Alexandria, VA 22313-1450

on March 10, 2006

TOWNSEND and TOWNSEND and CREW LLP

By Yvonne Mock  
Yvonne Mock



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

Patent No.: 6,998,239 B1

Issued: February 14, 2006

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE BINDING OF  
CCX CKR POLYPEPTIDE TO A  
CHEMOKINE

Confirmation No: 5168

Examiner: Bridget E. Bunner

Art Unit: 1647

REQUEST FOR CERTIFICATE OF  
CORRECTION UNDER 37 C.F.R. §1.322

ATTN: Certificate of Corrections Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 35 U.S.C. §254, Applicants respectfully request the expedited issuance of a Certificate of Correction under 37 C.F.R. §1.322 to correct a mistake in the above-identified patent, incurred through the fault of the United States Patent and Trademark Office, which mistake is clearly disclosed in the records of the Patent Office.

The desired correction is set forth on the enclosed Certificate of Correction form PTO/SB/44.

In support of this request for expedited issuance of a Certificate of Correction, Applicants enclose the following documentation:

MAR 20 2006

- (1) Copy of Corrected Filing Receipt, mailing date December 2, 2004, showing the correct list of inventors for the above-identified application, now U.S. Patent No. 6,998,239;
- (2) Copy of the Decision Granting Petition under 37 C.F.R. §1.48(a) to correct the inventorship of this application, mailing date December 3, 2004, showing the correct inventorship; and
- (3) Copy of papers filed by Applicants in the Patent Office on December 1, 2004 to correct the inventorship of this application.

As the mistake of in the patent occurred through the fault of the Patent Office and not due to any mistake on the part of Applicants, it is believed that no fee is required.

Respectfully submitted,



Neil G. Miyamoto  
Reg. No. 50,370

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111-3834  
Tel. (415) 576-0200  
Fax (415) 576-0300  
NGM/ym  
60720934 v1

NOV 20 2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,998,239 **B1**  
APPLICATION NO.: 09/721,341  
ISSUE DATE : November 21, 2000  
INVENTOR(S) : Gosling et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

The Inventors field [75] should read:

[75] Inventors:

**Jennifa Gosling**, San Francisco, CA (US)

**Daniel J. Dairaghi**, Palo Alto, CA (US)

**Michael Hanley**, Corte Madera, CA (US)

**Zhenhua Miao**, San Jose, CA (US)

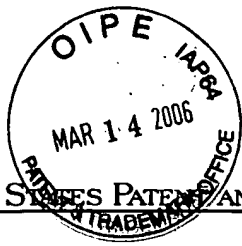
**Thomas J. Schall**, Palo Alto, CA (US)

MAILING ADDRESS OF SENDER (Please do not use customer number below):

TOWNSEND and TOWNSEND and CREW LLP  
379 Lytton Avenue  
Palo Alto, CA 94301-1431

60721195 v1

MAR 20 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/721,341	11/21/2000	1647	832	19934-000711US	9	36	7

CONFIRMATION NO. 5168

✓ CORRECTED FILING RECEIPT



\*OC000000014661226\*

20350  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

COPY

Date Mailed: 12/02/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jennifa Gosling, San Francisco, CA;  
Daniel J. Dairaghi, Palo Alto, CA;  
Michael Hanley, Corte Madera, CA;  
Zhenhua Miao, San Jose, CA;  
Thomas J. Schall, Palo Alto, CA;

**Power of Attorney:** The patent practitioners associated with Customer Number 20350.

## Domestic Priority data as claimed by applicant

This application is a DIV of 09/686,020 10/10/2000  
which claims benefit of 60/159,015 10/12/1999  
and claims benefit of 60/159,210 10/13/1999  
and claims benefit of 60/172,979 12/20/1999  
and claims benefit of 60/173,388 12/28/1999  
and claims benefit of 60/186,626 03/03/2000

## Foreign Applications

MAR 20 2006

If Required, Foreign Filing License Granted: 04/02/2001

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US09/721,341**

636

**Projected Publication Date:** None, application is not eligible for pre-grant publication

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**COPY**

**Title**

METHOD FOR IDENTIFYING A MODULATOR OF THE BINDING OF CCX CKR POLYPEPTIDE  
TO A CHEMOKINE

**Preliminary Class**

435

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

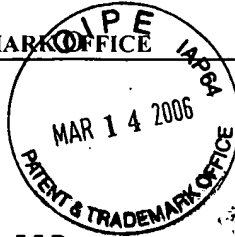
**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**MAR 20 2006**



UNITED STATES PATENT AND TRADEMARK OFFICE



019934-000711US  
R1C, PA

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER, EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

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DEC 03 2004

OFFICE OF PETITIONS

In re Application of :  
Jennifa Gosling et al :  
Application No. 09/721,341 : DECISION GRANTING PETITION  
Filed: November 21, 2000 : UNDER 37 CFR 1.313(c)(2)  
Attorney Docket No. 19934-000711US :

This is a decision on the following petitions, filed December 1, 2004:  
(1) petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee; (2) petition under 37 CFR 1.47, which, for the reasons stated below, is being treated as a petition under 37 CFR 1.183 to waive the requirements of 37 CFR 1.67(b) which requires a supplemental oath or declaration executed by all the named inventors; (3) petition under 37 CFR 1.183 to waive the provisions of 1.48(a)(3) which requires an oath or declaration executed by the actual inventor or inventors as required by § 1.63; and (4) the petition under 37 CFR 1.48(a) to correct the inventorship in the above-identified application.

The petitions are GRANTED.

**DISCUSSION OF PETITION UNDER 37 CFR 1.313(C)(2)**

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

**Petitioner is advised that the issue fee paid on July 22, 2004 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>**

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

MAR 20 2005

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DISCUSSION OF PETITION UNDER 37 CFR 1.183 TO WAIVE THE PROVISIONS OF 37 CFR 1.67(a)(1)

MPEP § 603 provides that, "[w]hen an inventor who executed the original declaration is refusing or cannot be located to execute a required supplemental declaration, it is possible that the requirement may be suspended or waived in accordance with 37 CFR 1.183." As the inventor who executed the originally submitted declaration is now refusing to execute a supplemental declaration, the submission of a petition under 37 CFR 1.47(a) is not the appropriate avenue of relief in this instance.

Accordingly, the petition under 37 CFR 1.47(a) is being treated as a petition under 37 CFR 1.183 to waive the provisions of 37 CFR 1.67(a)(1) which requires a supplemental declaration executed by less than all the named inventors who originally executed a declaration.

Petitioner states that the application papers for this file were mailed to joint inventor Michael Hanley, but were refused delivery. Petitioner further states that Mr. Hanley refused to execute the supplemental declaration due to the fact that he was no longer employed by assignee herein and further would not sign unless he was compensated for executing the declaration. For these reasons, petitioner now requests acceptance of a supplemental declaration without the signature of previously signing inventor joint Michael Hanley.

Under the circumstances recounted in the petition, justice would be served by suspending the requirements of 37 CFR 1.67(a)(1). Accordingly, the declaration received on December 1, 2004 and executed by the named inventors and without the signature of previously signing joint inventor Mr. Hanley is accepted as a proper oath under 37 CFR 1.67(a)(1).

DISCUSSION OF PETITIONS UNDER 37 CFR 1.48(a) AND 37 CFR 1.183 TO WAIVE THE REQUIREMENTS OF 37 CFR 1.48(a)(3)

A petition under 37 CFR 1.48(a) requires:

- (1) A request to correct the inventorship that sets forth the desired inventorship change;
- (2) A statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;
- (3) An oath or declaration by the actual inventor or inventors as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47;
- (4) The processing fee set forth in § 1.17(I); and
- (5) If an assignment has been executed by any of the

MAR 20 2006



COPY

original named inventors, the written consent of the assignee.

The instant petition seeks to delete Dale Talbot, who through error and without deceptive intent was inadvertently named as an inventor. Accordingly, on petition requesting correction of inventorship pursuant to 35 U.S.C. § 116 and 37 CFR 1.48(a), it has been found that the above-identified application, through error and without deceptive intent, improperly sets forth the inventorship.

As noted above, joint inventor Michael Hanley, who executed the original declaration, now refuses to execute the supplemental declaration. However, for the reasons stated above, justice would be served by suspending the requirements of 37 CFR 1.48(a)(3) which requires the signature of the actual inventor(s) in accordance with 37 CFR 1.63.

The petition has been found to satisfy the requirements of 37 CFR 1.48(a). Accordingly, it is hereby certified that the correct inventorship of this application is:

1. Jennifa Gosling
2. Daniel J. Dairaghi
3. Michael Hanley
4. Zhenhua Miao
5. Thomas J. Schall

A corrected Filing Receipt which sets forth the correct inventorship accompanies this decision on petition.

Telephone inquiries should be directed to the undersigned at (571) 272-3218.

This matter is being referred to Technology Center AU 1647 for processing of the request for continued examination under 37 CFR 1.114.

  
Brian Hearn

Senior Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

ATTACHMENT: Corrected Filing Receipt

MAR 20 2006

PTO FAX NO.: (571) 273-0025  
(703) 308.6916



Atty Docket No. 019934-000711US

**COPY**

**OFFICIAL COMMUNICATION**

**FOR THE ATTENTION OF**

**OFFICE OF PETITIONS**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

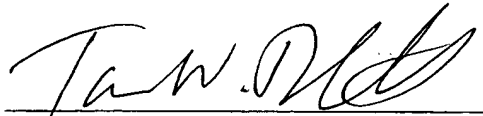
I hereby certify that the following documents in re Application of GOSLING et al., Application No. 09/721,341, filed November 21, 2000 for METHOD FOR IDENTIFYING A MODULATOR OF THE BINDING OF CCX CKR POLYPEPTIDE TO A CHEMOKINE (AMENDED) are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Request for Continued Examination (RCE) Transmittal
2. Fee Transmittal
3. Petition for Withdrawal From Issue Under 37 CFR 1.313(c)(2)
4. Petition for Waiver of 37 CFR 1.67 Under 37 CFR 1.183
5. Copy of Communication Regarding Change In Inventorship (filed 11.29.04)
6. Copy of Request to Correct Inventorship Under 37 CFR 1.48(a) (filed 11.29.04)
7. Copy of Declaration Under 37 CFR 1.48(a) – Dale Talbot (filed 11.29.04)
8. Copy of Newly Executed Declaration (filed 11.29.04)
9. Copy of Consent of Assignee For Correction of Inventorship Under 37 CFR 1.48(a) (filed 11.29.04)
10. Copy of 3.73(b) Statement (filed 11.29.04)
11. Copy of Petition Under 37 CFR 1.47(a), including Attachments A-D (filed 11.29.04)

Number of pages being transmitted, including this page: 28

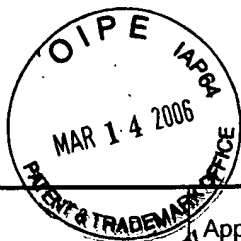
Dated: December 1, 2004

  
Tara N. Damhoff

**PLEASE CONFIRM RECEIPT OF THIS PAPER BY  
RETURN FACSIMILE AT (303) 571-4321**

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, CA 94111-3834  
Telephone: 303-571-4000  
Fax: 303-571-4321  
60368177 vl

MAR 20 2006



PTO/SB/30 (09-04)

Request  
for  
Continued Examination (RCE)  
Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/721,341
Filing Date	November 21, 2000
First Named Inventor	Gosling, Jennifa
Art Unit	1647
Examiner Name	Bunner, Bridget E.
Attorney Docket Number	019934-000711US

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☒ Other Documents filed with the U.S. Patent Office by Express Mail on November 30, 2004, which included: (1) Communication Regarding Change in Inventorship; (2) Request to Correct Inventorship; (3) Declaration from Dale Talbot; (4) New Declaration; (5) Consent of Assignee for Correction of Inventorship; (6) Statement under 37 C.F.R. 3.73(b); and (7) Petition under 37 C.F.R. 1.47(a) and accompanying Attachments A-D.
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☒ Other Petitions under 37 CFR 1.313 and 37 CFR 1.183

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☒ Other Petition fees under 37 CFR 1.313 and 37 CFR 1.183
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	December 1, 2004
Name (Print/Type)	Scott L. Ausenhus	Registration No.	42,271

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (571) 273-0025 on December 1, 2004.

Signature		Date	December 1, 2004
Name (Print/Type)	Tara N. Damhoff		

DEC 20 2004

# FEE TRANSMITTAL for FY 2005

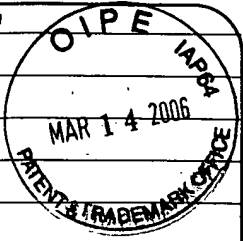
Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 655

Complete if Known

Application Number 09/721,341  
 Filing Date November 21, 2000  
 First Named Inventor Gosling, Jennifa  
 Examiner Name Bunner, Bridget E.  
 Art Unit 1647  
 Attorney Docket No. 019934-000711US



## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number

20-1430

Deposit  
Account  
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	--		
Independent Claims	--		
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	395
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Petition to Withdraw from issue

130

\*Reduced by Basic Filing Fee Paid · SUBTOTAL (3)

(\$655)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Scott L. Aussenhus Registration No. (Attorney/Agent) 42,271 Telephone 303-571-4000  
 Signature *Scott Aussenhus* Date December 1, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-0025 on 12-01-04



PATENT  
Docket No.: 019934-000711US

TOWNSEND and TOWNSEND and CREW LLP

By:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

GOSLING et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE BINDING OF  
CCX CKR POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

Examiner: Bunner, Bridget E.

Art Unit: 1647

PETITION FOR WITHDRAWAL FROM  
ISSUE UNDER 37 C.F.R. 1.313 (c)(2)

**COPY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants petition to have this patent application withdrawn from issue for consideration of a Request for Continued Examination that is filed herewith to amend the inventive entity.

The submission required as part of the attached RCE, includes the following items that were previously submitted by Express Mail on November 30, 2004 in support of the request for a change of inventive entity:

1. Communication Regarding Change in Inventorship;
2. Request to Correct Inventorship under 37 C.F.R. 1.48(a);
3. Declaration under 37 C.F.R. 1.48(a) from Dale Talbot;
4. Declaration signed by all the correct inventors, except Michael

Hanley;

**MAR 20 2006**

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PATENT

5. Consent of Assignee for Correction of Inventorship under 37 C.F.R. 1.48(a);
6. Statement under 37 C.F.R. 3.73(b) from assignee ChemoCentryx;
7. Petition under 37 C.F.R. 1.47(a) and accompanying Attachments A-D.

Applicants authorize the Patent Office to charge the petition fee of \$130 for this petition under 37 C.F.R. 1.313 to Deposit Account 20-1430. If this authorization is duplicative any of the prior payment authorizations made with Applicants' November 30, 2004 filing (e.g., the processing fee of \$130 associated with the Request to Correct Inventorship), then Applicants request that such prior payment be applied to the current petition under 37 C.F.R. 1.313. If, however, any additional amount or other fee is due for consideration of this petition, the Office is further authorized to charge such fee to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303) 571-4000.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (415) 576-0300  
SLA:sla

MAR 20 2006

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-571-273-0025 on 12.01.04



PATENT  
Docket No.: 019934-000711US

TOWNSEND and CREW LLP

By: T.N. Dell

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

GOSLING et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE BINDING OF  
CCX CKR POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

Examiner: Bunner, Bridget E.

Art Unit: 1647

PETITION FOR WAIVER OF 37 C.F.R.  
1.67 UNDER 37 C.F.R. 1.183

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants petition to have 37 C.F.R. 1.67 waived in this application because of the refusal of inventor Michael Hanley to sign a supplemental declaration to correct the inventive entity.

In support of this petition and to expedite its consideration, Applicants have attached copies of the following documents that were previously submitted to the Patent Office by Express Mail on November 30, 2004:

1. Communication Regarding Change in Inventorship;
2. Request to Correct Inventorship under 37 C.F.R. 1.48(a);
3. Declaration under 37 C.F.R. 1.48(a) from Dale Talbot;
4. Declaration signed by all the correct inventors, except Michael

Hanley;

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5. Consent of Assignee for Correction of Inventorship under 37 C.F.R. 1.48(a);
6. Statement under 37 C.F.R. 3.73(b) from assignee ChemoCentryx;
7. Petition under 37 C.F.R. 1.47(a) and accompanying Attachments A-D.

Applicants authorize the Patent Office to charge the petition fee of \$130 for this petition under 37 C.F.R. 1.183 to Deposit Account 20-1430. If this authorization is duplicative of the prior authorization to charge the petition fee under 37 C.F.R. 1.47(a) (see Applicants' November 30, 2004 filing), then Applicants request that the prior authorization of payment for the petition under 37 C.F.R. 1.47(a) be applied to the current petition under 37 C.F.R. 1.183. If any additional amount or other fee is due for consideration of this petition, the Office is further authorized to charge such fee to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303) 571-4000.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (415) 576-0300  
SLA:sla

MAY 20 2006



"Express Mail" Label No. EV 291376412 US

Date of Deposit November 29, 2004



PATENT  
Docket No.: 019934-000711US

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**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By: 

Tara N. Damhoff

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE BINDING  
OF CCX CKR POLYPEPTIDE TO  
A CHEMOKINE (AMENDED)

Customer No: 20350

Confirmation No.: 5168

Examiner: Bunner, Bridget E.

Art Unit: 1647

**COMMUNICATION REGARDING  
CHANGE IN INVENTORSHIP**

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper and accompanying documents are filed to correct inventorship in this application, specifically to delete Dale Talbot as a named inventor, who was named as an inventor in error without deceptive intent.

In accordance with the requirements of 37 C.F.R. 1.48(a), the following documents are attached:

- (1) Request to Correct Inventorship under 37 C.F.R. 1.48(a);

MAR 20 2006

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PATENT

(2) Statement from Dale Talbot stating that it was through error without deceptive intent that he was named as an inventor in the above-identified patent application;

(3) Executed declarations by joint inventors Jennifa Gosling, Daniel J. Dairaghi, Zhenhua Miao and Thomas J. Schall in accordance with 37 C.F.R. §1.63;

(4) Statement Under 37 C.F.R. 3.73(b) signed by Thomas J. Schall on behalf of ChemoCentryx, Inc.;

(5) Written consent from the assignee, ChemoCentryx, Inc., to the change in inventorship; and

(6) Authorization to deduct the request fee of \$130.00, pursuant to 37 C.F.R. §1.17(i), from Deposit Account No. 20-1430 of the undersigned.

Inventor Michael Hanley did not provide an executed declaration listing the correct inventors despite being provided with the documents necessary to effectuate the change in inventorship (i.e., copy of application, currently pending claims and new declaration listing the correct inventors) and being contacted multiple times regarding this matter, thus evidencing a refusal to sign the necessary new declaration. Accordingly, a petition under 37 C.F.R. 1.47(a) is also enclosed to change the inventorship when a joint inventor refuses to join in executing a declaration.

The Patent Office is authorized to charge all fees associated with the request for correction of inventorship and the petition under 37 C.F.R. 1.47(a) to Deposit Account No. 20-1430. Any other fees can also be charged to this Deposit Account.

MAR 20 2006

Jennifa Gosling et al.  
Application No.: 09/721,341  
Page 3

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PATENT

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303) 571-4000.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (303) 571-4000  
Fax: (415) 576-0300  
SLA:sla  
60365459 v1

MAR 20 2006

"Express Mail" Label No. EV 291376412 US  
Date of Deposit November 29, 2004



Attorney Docket No.: 019934-000711US **PATENT**

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

By:

Tara N. Damhoff

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE  
BINDING OF CCX CKR  
POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

Customer No.: 20350

Confirmation No.: 5168

Examiner: Bunner, Bridget E.

Art Unit: 1647

REQUEST TO CORRECT  
INVENTORSHIP UNDER 37 C.F.R. §  
1.48(a)

**Mail Stop Issue Fee**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant requests under 37 C.F.R. §1.48(a) to delete Dale Talbot as an inventor to the above-identified patent application.

As required by 37 C.F.R. §1.48(a), the following are submitted herewith:

- (1) Statement from Dale Talbot stating that it was through error without deceptive intent that he was named as an inventor in the above-identified patent application;

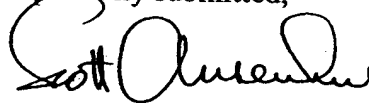
MAR 20 2006

COPY

- (2) Executed declarations by joint inventors Jennifa Gosling, Daniel J. Dairaghi, Zhenhua Miao and Thomas J. Schall in accordance with 37 C.F.R. §1.63;
- (3) Statement Under 37 CFR 3.73(b) signed by Thomas J. Schall on behalf of ChemoCentry, Inc.; and
- (4) Written consent from the assignee, ChemoCentryx, Inc., to the change in Inventorship.

Please deduct the request fee of \$130.00, pursuant to 37 C.F.R. §1.17(i), from Deposit Account No. 20-1430 of the undersigned. Please charge any additional fees or credit overpayment to the above Deposit Account.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SLA:tnd  
60243207 v1

2009 01 08 09:00

"Express Mail" Label No. EV 291376412 US

Date of Deposit 11-29-04



Attorney Docket No.: 019934-000711US **PATENT**

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Tara N. Damhoff

Tara N. Damhoff

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE  
BINDING OF CCX CKR  
POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

Customer No.: 20350

Customer No.: 5168

Examiner: Bunner, Bridget E.

Art Unit: 1647

DECLARATION UNDER 37 C.F.R. §1.48(a)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Dale Talbot, state that it was through error without deceptive intent that I was named as an inventor in the above-referenced patent application.

I agree to the correction of inventorship currently requested by the assignees of the above-referenced patent to delete myself, Dale Talbot, as a joint inventor.

Dated: July 14, 2004

By

Dale Talbot  
Dale Talbot

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 303-571-4000  
Fax: 415-576-0300  
SLA:tnd

**COPY**

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD FOR IDENTIFYING A MODULATOR OF THE BINDING OF CCX CKR POLYPEPTIDE TO A CHEMOKINE (AMENDED) the specification of which \_\_\_\_\_ is attached hereto or X was filed on November 21, 2000 as Application No. 09/721,341 and was amended on August 1, 2001, January 30, 2002, May 28, 2002, November 26, 2002, May 12, 2003 and January 20, 2004.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**Prior Foreign Application(s)**

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/159,015	10/12/99
60/159,210	10/13/99
60/172,979	12/20/99
60/173,388	12/28/99
60/186,626	03/03/00

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

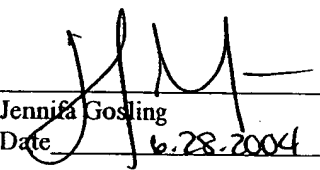
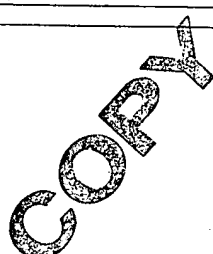
Application No.	Date of Filing	Status
09/686,020	10/10/00	Pending

Full Name of Inventor 1:	Last Name: <b>GOSLING</b>	First Name: <b>JENNIFA</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>San Francisco</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>322 Virginia Avenue</b>	City: <b>San Francisco</b>	State/Country: <b>California</b>	Postal Code: <b>94110</b>

**MAR 20 2006**

Full Name of Inventor 2:	Last Name: <b>DAIRAGHI</b>	First Name: <b>DANIEL</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>178 El Dorado</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94306</b>
Full Name of Inventor 3:	Last Name: <b>HANLEY</b>	First Name: <b>MICHAEL</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Corte Madera</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>81 Parkview Circle</b>	City: <b>Corte Madera</b>	State/Country: <b>California</b>	Postal Code: <b>94925</b>
Full Name of Inventor 4:	Last Name: <b>MIAO</b>	First Name: <b>ZHENHUA</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>San Jose</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Peoples Republic of China</b>	
Post Office Address:	Post Office Address: <b>7070 Rainbow Drive, #2</b>	City: <b>San Jose</b>	State/Country: <b>California</b>	Postal Code: <b>95129</b>
Full Name of Inventor 5:	Last Name: <b>SCHALL</b>	First Name: <b>THOMAS</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>563 Homer Ave.</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94301</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Jennifa Gosling Date <u>6.28.2004</u>	Signature of Inventor 2 _____ Daniel J. Dairaghi Date _____	Signature of Inventor 3 _____ Michael Hanley Date _____
Signature of Inventor 4 _____ Zhenhua Miao Date _____	Signature of Inventor 5 _____ Thomas J. Schall Date _____	

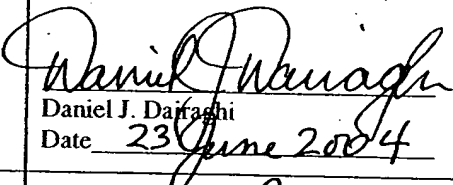
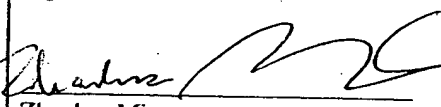
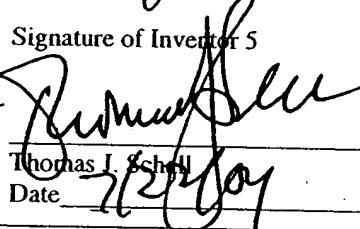
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MAR 20 2006

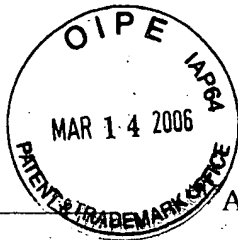


Full Name of Inventor 2:	Last Name: <b>DAIRAGHI</b>	First Name: <b>DANIEL</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>178 El Dorado</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94306</b>
Full Name of Inventor 3:	Last Name: <b>HANLEY</b>	First Name: <b>MICHAEL</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>Corte Madera</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>81 Parkview Circle</b>	City: <b>Corte Madera</b>	State/Country: <b>California</b>	Postal Code: <b>94925</b>
Full Name of Inventor 4:	Last Name: <b>MIAO</b>	First Name: <b>ZHENHUA</b>	Middle Name or Initial:	
Residence & Citizenship:	City: <b>San Jose</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>Peoples Republic of China</b>	
Post Office Address:	Post Office Address: <b>7070 Rainbow Drive, #2</b>	City: <b>San Jose</b>	State/Country: <b>California</b>	Postal Code: <b>95129</b>
Full Name of Inventor 5:	Last Name: <b>SCHALL</b>	First Name: <b>THOMAS</b>	Middle Name or Initial: <b>J.</b>	
Residence & Citizenship:	City: <b>Palo Alto</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>	
Post Office Address:	Post Office Address: <b>563 Homer Ave.</b>	City: <b>Palo Alto</b>	State/Country: <b>California</b>	Postal Code: <b>94301</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  Jennifa Gosling Date: _____	Signature of Inventor 2  Daniel J. Dairaghi Date: <u>23 June 2004</u>	Signature of Inventor 3  Michael Hanley Date: _____
Signature of Inventor 4  Zhenhua Miao Date: <u>6/29/04</u>	Signature of Inventor 5  Thomas J. Schall Date: <u>7/2/04</u>	

**COPY**



"Express Mail" Label No. EV 291376412 US

Date of Deposit 11-29-04

Attorney Docket No.: 019934-000711US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: Tara N. Damhoff

Tara N. Damhoff

**COPY**  
**PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE  
BINDING OF CCX CKR  
POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

Customer No.: 5168

Examiner: Bunner, Bridget E.

Art Unit: 1647

CONSENT OF ASSIGNEE FOR  
CORRECTION OF INVENTORSHIP  
UNDER 37 C.F.R. § 1.48(a)

Customer No.: 20350

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The assignee of the above-identified patent application, ChemoCentryx, Inc., consents to amending the subject application to delete Dale Talbot as an inventor.

In accordance with 37 C.F.R. §3.73(b), a certificate of assignment is enclosed to establish ownership of the above-identified application by ChemoCentryx, Inc.

**CHEMOCENTRYX, INC.**

Date 6/30/04

By: Thomas J. Schall

Name: Thomas J. Schall  
Title: President and CEO

MAR 21 2006



PTO/SB/96 (08-03)

Attorney Docket No. 019934-000711US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jennifa Gosling, Daniel J. Dairaghi, Michael Hanley, Zhenhua Miao, Thomas J. Schall  
(applicants as corrected)

Application No./Patent No.: 09/721,341Filed/Issue Date: November 21, 2000

Entitled: METHOD FOR IDENTIFYING A MODULATOR OF THE BINDING OF CCX CKR POLYPEPTIDE TO A  
CHEMOKINE (AMENDED)

ChemoCentryx, Inc., a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 011909, Frame 0816, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

6/30/04  
Date

650-632-2900  
Telephone number

Thomas J. Schall  
Typed or printed name  
[Signature]  
Signature  
President and Chief Executive Officer  
Title

COPY

"Express Mail" Label No. EV 291376412 US  
Date of Deposit November 29, 2004



PATENT  
Docket No.: 019934-000711US

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By: \_\_\_\_\_

Tara N. Damhoff

**COPY**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Jennifa Gosling et al.

Application No.: 09/721,341

Filed: November 21, 2000

For: METHOD FOR IDENTIFYING A  
MODULATOR OF THE BINDING  
OF CCX CKR POLYPEPTIDE TO  
A CHEMOKINE (AMENDED)

Customer No.: 20350

Confirmation No.: 5168

Examiner: Bunner, Bridget E.

Art Unit: 1647

PETITION UNDER 37 C.F.R. 1.47(a)

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 C.F.R. 1.47(a), Applicants hereby petition for entry of the new declaration that is enclosed. This new declaration is provided as part of a request for correction of inventorship under 37 C.F.R. 1.48(a). As indicated in the enclosed request, Applicants are petitioning for deletion of Dale Talbot as a named inventor. Inventor Michael Hanley, however, has refused to sign the new declaration that is required under 37 C.F.R. 1.48(a), despite multiple attempts to contact Mr. Hanley. In

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this regard, Applicants note that the deleted inventor, Dale Talbot, has executed the necessary documents to effectuate the change in inventorship.

Statement of Facts

As required for a petition under 37 C.F.R. 1.47(a), the undersigned provides the following statement of facts evidencing a refusal by Michael Hanley to sign the new declaration:

(1) On June 22, 2004, a letter (Attachment A) was sent to Mr. Hanley at his business address (see below) by FedEx requesting that he sign a new declaration to remove Dale Talbot as inventor. The letter enclosed a copy of the application (referred to in the letter as the 019934-000710 application), a copy of the claims as currently pending, and a copy of the new declaration for signature by Mr. Hanley. A copy of a FedEx delivery receipt (Attachment B) is enclosed, confirming delivery of the materials to Mr. Hanley's place of employment on June 23, 2004.

(2) On July 15, 2004, after not receiving the executed declaration, the undersigned's secretary tried contacting Mr. Hanley and spoke with Mr. Hanley's secretary. Mr. Hanley's secretary confirmed that Mr. Hanley had received the materials and stated that Mr. Hanley considered this matter a low priority and would attend to it when he had time.

(3) On August 11, 2004, the undersigned sent another letter (Attachment C) to Mr. Hanley at his business address reminding Mr. Hanley of the need for the new declaration and noting that the necessary documents from all the other inventors had been received. A copy of a FedEx delivery receipt (Attachment D) is enclosed, confirming delivery of the materials to Mr. Hanley's place of employment on August 12, 2004.

(4) On October 19, 2004, the undersigned tried calling Mr. Hanley and reached his secretary, Rosemary, who said that she would leave a message with Mr. Hanley to contact the undersigned to discuss this patent matter.

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(5) On October 20, 2004, the undersigned called Mr. Hanley and again reached his secretary, Rosemary. Mr. Hanley's secretary confirmed that she had relayed the undersigned's previous message to Mr. Hanley and said she would again remind Mr. Hanley to contact the undersigned.

(6) After not hearing from Mr. Hanley, the undersigned again called Mr. Hanley on October 26, 2004 and this time reached Mr. Hanley's personal voicemail rather than Mr. Hanley's secretary. The undersigned left a message requesting Mr. Hanley to call about changing inventorship in this application and noting that all the other inventors had signed the necessary documents. Mr. Hanley never returned the undersigned's calls.

Applicants submit that this chronology of events clearly demonstrate that Mr. Hanley was provided with the necessary documents (including application, currently pending claims and new declaration) to correct inventorship in this application and his refusal to execute the necessary declaration. Applicants thus request that this petition under 37 C.F.R. 1.47(a) be granted and that the enclosed new declaration signed by all the other correct inventors be entered into the file as part of the enclosed request to correct inventorship (i.e., to delete Dale Talbot as inventor, thus leaving Jennifa Gosling, Daniel J. Dairaghi, Michael Hanley, Zhenhua Miao and Thomas J. Schall as the correct inventors).

Last Known Address

Applicants are only aware of Mr. Hanley's current business address, which is Amylin Pharmaceuticals, Inc., 9360 Towne Center Drive, Ste. 110, San Diego, CA 92121.

Petition Fee

The Patent Office is authorized to charge the petition fee under 37 C.F.R. 1.17(h) to Deposit Account No. 20-1430, as well as any other fee that may be due as part of the processing of this petition.

20 2005

Jennifa Gosling et al.  
Application No.: 09/721,341  
Page 4

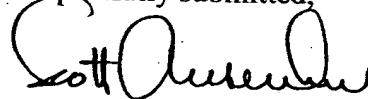
COPY

PATENT

If this petition is more properly brought under 37 C.F.R. 1.183, then Applicants request that this petition be treated as such and that the necessary fees for such a petition be charged to Deposit Account No. 20-1430, as well as any other fee that may be due as part of the processing of this petition.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (303)571-4000.

Respectfully submitted,



Scott L. Ausenhus  
Reg. No. 42,271

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (303)571-4000  
Fax: (415) 576-0300  
SLA:sla

60365460 v1

MAR 20 2006

TOWNSEND  
and  
TOWNSEND  
and  
CREW  
LLP

Attachment A



San Francisco, Cal a  
Tel 415 576-0200

Palo Alto, California  
Tel 650 326-2400

Walnut Creek, California  
Tel 925 472-5000

San Diego, California  
Tel 858-350-6100

Seattle, Washington  
Tel 206 467-9600

Denver

1200 Seventeenth Street  
Suite 2700  
Denver  
Colorado 80202-5827  
Tel 303 571-4000  
Fax 303 571-4321

June 22, 2004

VIA FEDEX

Michael Hanley, Ph.D.  
Vice President Discovery Research  
Amylin Pharmaceuticals, Inc.  
9360 Towne Centre Drive, Ste. 110  
San Diego, CA 92121

Re: ChemoCentryx Patent Applications  
Our File No.: 019934-000710US  
Our File No.: 019934-000711US  
Our File No.: 019934-000723US

COPY

Dear Dr. Hanley:

I am a patent attorney and am currently assisting ChemoCentryx, Inc. with the above-referenced patent applications.

ChemoCentryx has undertaken a review of the inventors listed in these applications to evaluate whether inventorship needs to be altered in view of the pending claims. It was determined that inventorship should be altered in these applications as indicated below:

Our Files 019934-000711US and -000723US: Remove Dale Talbot as inventor;

Our File 019934-000710US: Remove Dale Talbot and yourself as inventors.

A copy of the 019934-000710US and -000723US applications as filed and the claims as currently pending in each application are also enclosed for your reference (the 019934-000711US application is identical to the -000710US application and thus is not included). These documents are of course confidential and should not be disclosed to anyone else.

After reviewing the applications and claims, please sign and DATE the enclosed documents and return them and the enclosures to me as soon as possible in the Federal Express envelope that is enclosed for your convenience. The documents that are enclosed include:

Our Files 019934-000711US and -000723US: A new declaration listing the correct inventors. This declaration should be signed and DATED by you in the spaces provided. The other inventors will sign other copies of the declaration.

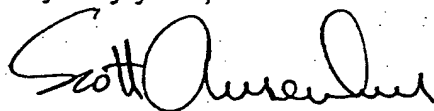
MAR 20 2006



Our File 019934-000710US: A statement by you requesting a change of inventorship.

ChemoCentryx appreciates your assistance in this matter. Please do not hesitate to contact me if you have any questions or concerns regarding this matter.

Very truly yours,



Scott L. Ausenhus

SLA/tnd

Enclosures

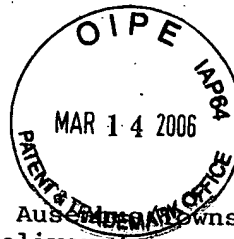
cc: Mark Penfold, ChemoCentryx, Inc. (Via Federal Express, w/o Enclosures)  
60245259 v1

COPY

**Damhoff, Tara N.**

---

**From:** FedEx [donotreply@fedex.com]  
**Sent:** Wednesday, June 23, 2004 11:14 AM  
**To:** Damhoff, Tara N.  
**Subject:** FedEx shipment 790677235553



Our records indicate that the shipment sent from Scott Ausenda, Townsend & Townsend & Cre to Michael Hanley, Ph.D./Amylin Pharmaceuti has been delivered. The package was delivered on 06/23/2004 at 9:39 AM and signed for or released by E.MOLINA.

The ship date of the shipment was 06/22/2004.

The tracking number of this shipment was 790677235553.

FedEx appreciates your business. For more information about FedEx services, please visit our web site at <http://www.fedex.com>

To track the status of this shipment online please use the following:  
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=790677235553  
&action=track&language=english&cntry\\_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790677235553&action=track&language=english&cntry_code=us)

**Disclaimer**

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FedEx has not validated the authenticity of any email address.

**COPY**

**TOWNSEND**  
and  
**TOWNSEND**  
and  
**CREW**  
LLP



San Francisco, California  
Tel 415 576-0200

Palo Alto, California  
Tel 650 326-2400

Walnut Creek, California  
Tel 925 472-5000

San Diego, California  
Tel 858-350-6100

Seattle, Washington  
Tel 206 467-9600

**Denver**

1200 Seventeenth Street  
Suite 2700  
Denver  
Colorado 80202-5827  
Tel 303 571-4000  
Fax 303 571-4321

August 11, 2004

**VIA FEDEX**

Michael Hanley, Ph.D.  
Vice President Discovery Research  
Amylin Pharmaceuticals, Inc.  
9360 Towne Centre Drive, Ste. 110  
San Diego, CA 92121

Re: ChemoCentryx Patent Applications  
Our File No.: 019934-000710US  
Our File No.: 019934-000711US  
Our File No.: 019934-000723US

**COPY**

Dear Dr. Hanley:

As I indicated in my earlier letter to you dated June 22, 2004, ChemoCentryx Inc. is requesting your cooperation in correcting the inventorship in these three applications. We have received the necessary papers from all the other inventors, and are now just awaiting the papers from you.

To elaborate somewhat on my earlier letter, and as you can see from the applications and claims I provided you previously, the subject matter of the foregoing applications falls into two categories:

1. The 019934-000711US and -000723US applications, which are directed to screening methods to identify agents that modulate the activity of the chemokine receptor CCX CKR. ChemoCentryx has concluded that you are an inventor of the claims in these applications and thus simply needs you to sign the papers I provided you for these applications to have Mr. Dale Talbot removed as a named inventor. Mr. Talbot has already agreed to this change and sent us the necessary formal documents he needed to sign to effectuate this change.

2. The 019934-000710US application, which is directed to methods of treating a CCX CKR medicated condition in a mammal. ChemoCentryx has concluded that the work underlying this invention was performed by others after your departure from ChemoCentryx. The papers I provided you with previously thus are to remove Mr. Talbot and yourself as named inventors. Again, Mr. Talbot has already signed the appropriate papers.

If you have any questions or concerns about this matter or need another copy of the applications and claims that were sent with my letter dated June 22, 2004, please do not hesitate to contact me. Upon receipt of the documents from you we can conclude this matter.


**MAR 20 2006**

TOWNSEND  
and  
TOWNSEND  
and  
CREW  
LLP

Michael Hanley, Ph.D.  
August 11, 2004  
Page 2

Once again, ChemoCentryx would like to thank you in advance for your cooperation in this matter.

Very truly yours,



Scott L. Ausenhus

SLA/tnd

cc: Mark Penfold, ChemoCentryx, Inc. (Via U.S. Mail)  
60245259 v1

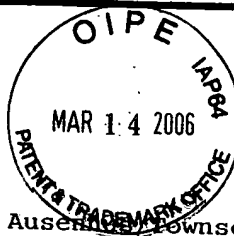
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MAR 20 2005

**Damhoff, Tara N.**

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From: FedEx [donotreply@fedex.com]  
Sent: Thursday, August 12, 2004 12:55 PM  
To: Damhoff, Tara N.  
Subject: FedEx shipment 790729963781



Our records indicate that the shipment sent from Scott Ausch and Townsend & Townsend & Cre to Michael Hanley, Ph.D./Amylin Pharmaceuti has been delivered. The package was delivered on 08/12/2004 at 9:42 AM and signed for or released by E.MOLINA.

The ship date of the shipment was 08/11/2004.

The tracking number of this shipment was 790729963781.

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To track the status of this shipment online please use the following:  
[http://www.fedex.com/cgi-bin/tracking?tracknumbers=790729963781&action=track&language=english&cntry\\_code=us](http://www.fedex.com/cgi-bin/tracking?tracknumbers=790729963781&action=track&language=english&cntry_code=us)

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MAR 20 2006

\* \* \* COMMUNICATION RESULT REPORT ( DEC. 1. 2004 1:30PM ) \* \* \*

TTI TOWNSEND &amp; TOWNSEND

TRANSMITTED/STORED DEC. 1. 2004 1:26PM  
FILE MODE OPTION

ADDRESS

RESULT

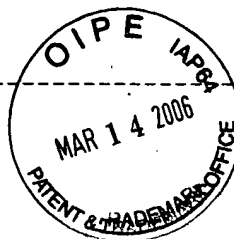
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28/28



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REASON FOR ERROR:  
 E-1) HANG UP OR LINE FAIL  
 E-3) NO ANSWER

E-2) BUSY  
 E-4) NO FACSIMILE CONNECTION

Atty Docket No. 019934-000711US

PTO FAX NO.: (571) 273-0025

**OFFICIAL COMMUNICATION**  
**FOR THE ATTENTION OF**  
**OFFICE OF PETITIONS**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents in re Application of GOSLING et al., Application No. 09/721,341, filed November 21, 2000 for METHOD FOR IDENTIFYING A MODULATOR OF THE BINDING OF CCX CKR POLYPEPTIDE TO A CHEMOKINE (AMENDED) are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Documents Attached

1. Request for Continued Examination (RCE) Transmittal
2. Fee Transmittal
3. ...

MAR 23 2006